

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

MICHAEL MOATES,

*Plaintiff,*

v.

FACEBOOK, INC.,

*Defendant.*

Civil Action No. 4:20-cv-00896-ALM-KPJ

**DEFENDANT FACEBOOK, INC.'S RESPONSE TO  
PLAINTIFF'S MOTION FOR ORAL ARGUMENT ON  
DEFENDANT'S MOTION TO DISMISS AND MOTION TO TRANSFER VENUE**

Defendant Facebook, Inc. does not oppose Plaintiff's request for oral argument, but defers to the Court's sound discretion with regard to whether oral argument is appropriate or would benefit the Court.

In attempting to persuade the Court to grant oral argument, Plaintiff makes several arguments that clearly belong in his responses to Defendant's pending motions. In this regard, Defendant assumes that the instant motion is limited to the relief requested, namely oral argument, and does not constitute Plaintiff's response to either Defendant's Motion to Dismiss or Defendant's Motion to Transfer Venue. Therefore, Defendant will wait for Plaintiff to file his responses to the pending motions to dismiss and transfer and then address all of Plaintiff's substantive arguments in Defendant's replies, not here.

Accordingly, Defendant neither opposes nor joins in Plaintiff's request for oral argument on Defendant's pending motions.

Dated: February 8, 2021

Respectfully submitted,

/s/ E. Glenn Thames, Jr.

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ATTORNEYS FOR DEFENDANT

FACEBOOK, INC.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with this document via the Court's CM/ECF system pursuant to Local Rule CV-5. Service outside the court's electronic-filing system has been completed on February 8, 2021, per the Plaintiff's consent to electronic service, as follows:

Michael Moates at the following email addresses:

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/s/ E. Glenn Thames, Jr.

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